

VZCZCXYZ0001
PP RUEHWEB

DE RUEHPE #0748 0581314
ZNR UUUUU ZZH
P 271314Z FEB 06
FM AMEMBASSY LIMA
TO SECSTATE WASHDC PRIORITY 8886

UNCLAS LIMA 000748

SIPDIS

SENSITIVE
SIPDIS

E.O. 12958: N/A
TAGS: [PGOV](#) [KJUS](#) [PE](#)
SUBJECT: MONTESINOS LEGAL REQUEST FOR EMBASSY FILES

Sensitive but Unclassified. Please handle accordingly.

11. (U) This is an action request. Please see para 5.

12. (U) SUMMARY: Post has received a four-inch thick legal assistance request from the lawyer representing Vladimiro Montesinos, convicted, ex-intelligence advisor for former President Alberto Fujimori. The 110 page cover letter, also sent to intelligence bodies in the U.S., asks Post to release and share Embassy files related specifically to the Montesinos and Aybar Cancho brothers arms trafficking case and generally to intelligence cooperation between the countries during Montesinos' tenure. Post requests guidance on how to respond to the letter from Montesinos' lawyer. END SUMMARY.

13. (U) On 2/6 the Ambassador received a bound letter from lawyer Estela Valdivia Alvarez and her client Vladimiro Montesinos Torres, copies of which were also sent to the Senate Intelligence Committee, the Director for National Intelligence, the Director of the Central Intelligence Agency, the National Security Adviser, and the First Special Superior Court of Lima. The letter asks the Ambassador: 1) to renounce the inviolability of the Embassy's files and documents related to the Montesinos and Aybar Cancho brothers arms trafficking case and those related to cooperation between the U.S. intelligence agency and the Peruvian intelligence agency during Montesinos' tenure, and; 2) to provide the aforementioned information to Montesinos and his lawyer. In the request, the letter specifically references Case 38-2001 in the First Special Superior Court of Lima presided by Judge Ines Felipa Villa Bonilla for the crime of trafficking arms from Jordan to the FARC in Colombia in 1999.

14. (U) In addition to the letter, the package includes four bound annexes of supporting documentation totaling another 850 pages. The letter provides detailed background on the Peruvian intelligence agency (SIN); its accomplishments in counternarcotics operations in coordination with the USG; USG counternarcotics support managed by the SIN; an Intelligence Plan known as "Siberia"; an overview of the SIN operations involving the Aybar Cancho brothers; and details of meetings between Montesinos and ORA representatives. In the letter Montesinos refutes the charges against him in the specific Aybar Cancho brothers case. The annexes include supporting documentation referenced in the letter such as: the Constitution and statutes of the International Counternarcotics Network (RIAN), letters of congratulations from USG officials to the SIN on counternarcotics operations, the "Siberia" intelligence plan, and "Siberia" monthly progress reports, among many other Peruvian intelligence documents related to the case and to joint U.S.-Peru operations.

15. (U) Action: Please advise Post how to respond to the request for information from Embassy files. If a copy of the bound letter or its annexes is required, please contact Pablo

Valdez (valdezpm2@state.gov, IVG 549-2515) as early as possible to facilitate copying the material.

¶6. (SBU) Comment: Post is not aware of any USG interest that would be served by complying with Montesinos' request. End Comment.
STRUBLE